

zens, urging that the State game laws be amended.

Referred to Committee on State Affairs.

Also one from Abilene, protesting against consolidation of Departments of Agriculture and Markets and Warehouses, and against appropriations for Farmers' Institute lectures.

Referred to Committee on Finance.

Also one, numerous signed by citizens of Big Spring, favoring consolidation of the Market and Warehouse Department with Agricultural Department.

Referred to Committee on State Affairs.

Senator Suiter offered and had read a petition from Alba, Wood County, urging consolidation of Market and Warehouse Department with Agricultural Department.

Referred to Committee on State Affairs.

Senator Watts sent up and had read a letter from Miss Lela Lee Williams, President of State Teachers' Association, protesting against a letter of date July 3rd, sent out by R. T. Ellis, Secretary of State Teachers' Association.

This was referred to Committee on Educational Affairs.

Senator Dorrough offered and had read a communication from Board of Directors representing more than one thousand Farm Bureau members of Bowie County, protesting against any appropriations for Farmers' Institute lectures, also protesting against the consolidation of Market and Warehouse Department with Agricultural Department.

This was referred to Committee on Agricultural Affairs.

Senator Buchanan offered and had read a resolution urging passage of a law regulating the practice of optometry.

Referred to Committee on Public Health.

Senator Woods offered and had read a communication from B. J. Greer, Pryner, Texas, commending action of lower house in meeting wishes of taxpayers in cutting expenditures at State University.

This was referred to Committee on Finance.

Also a telegram from Ex-Students and citizens of Navarro County protesting action of Legislature in cutting

salaries of University faculty, and urging members of the Senate to work for conference report that will keep appropriation.

EIGHTEENTH DAY.

Senate Chamber.

Austin, Texas,

Tuesday, August 9, 1921.

The Senate met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Murphy.
Buchanan.	Page.
Burkett.	Parr.
Clark.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dorough.	Watts.
Doyle.	Williams.
Dudley.	Willis.
Fairchild.	Witt.
Floyd.	Wood.
Hertzberg.	Woods.

Absent.

Cousins. Hall.

Absent—Excused.

Carlock.

Prayer by Senator Suiter.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Murphy.

Senate Bill No. 17—Conference Committee On.

Senator Dudley made the following privileged motion:

I move Senate do not concur in House amendments to S. B. No. 17, and that a conference committee be named.

The motion was adopted, and,

The Chair appointed the following committeemen on part of the Senate: Senators Dudley, Bledsoe, Hertzberg, Richards and Woods.

One "White Elephant" Tamed.

At least one of the State's "white elephants" has been tamed. The Texas State railway, which runs from

Palestine to Rusk, no longer lives at the expense of the treasury. This little line built by the State some years ago was a failure from the beginning and a sad investment for the school fund. It has cost the State from first to last hundreds of thousands of dollars, until many had reached the conclusion that the best thing that could be done about it was to junk the road or abandon it.

As a last resort, the Legislature at the Regular Session last March created a board of managers for the road, specifically naming Lieutenant Governor Davidson chairman, with power to appoint two associates. Now the Lieutenant Governor reports to the Senate that the \$25,000 which was appropriated to put the track in running order produced results, that the managers had on hand after repairing the road and introducing other economies nearly \$30,000.

That is not the best of it. Arrangements have been made for the leasing of the line to one of the great systems under a contract which will stop the drain upon the treasury, further rehabilitate the line and render it incomparably more useful to the people of East Texas than it could ever have been under public operation.

Nor is that all. In addition to immunity from further loss, there is the prospect of actual revenues from the road and possibly an ultimate sale at figures that will reimburse the State for all the monies paid out on its account heretofore.

All this is highly creditable to Lieutenant Governor Davidson. It shows what may be done when a business proposition is placed in the hands of a business man of demonstrated ability.

Lieutenant Governor Davidson has been telling us that our other "white elephant"—the prison system—which has lost millions for the taxpayers of Texas, can be converted into a self-sustaining affair and rendered so profitable that the helps and other humanities that idealists advocate for prison inmates might be easily realized, without sacrificing one reform which has been achieved in past operations.

Of course, the operation of a State prison system is something more than a financial undertaking or matter of

profits. Regardless of the money, the humanities must be considered, and every reasonable means must be utilized to bring about the redemption and rehabilitation of prisoners. But the humanities even can make very little progress in a prison system that is financially unsuccessful.

The first step toward realizing ideals and humanities is to create a sane and effective economic foundation.

The Legislature might well include the resourceful Lieutenant Governor among its advisers when it takes up the question of reconstructing the Texas prison system, for in the realm of practical and constructive economics he stands in the front ranks.—Houston Post.

The above was presented to the Senate by Senator Murphy and was read.

Senator Dudley moved that the same be printed in the Journal, which motion was adopted.

See Appendix for Committee Reports and Petitions and Memorials

Bills and Resolutions.

By Senator Burkett:

S. R. No. 31, Being a resolution providing for paying the widow of the late A. S. Hawkins, who served in the Second Called Session of the Twenty-ninth Legislature, March 26 to April 3, 1906, for per diem for nine days and for mileage due him for that session; an affidavit being attached to the resolution stating that the amount had never been paid.

The resolution was read and referred to Committee on Public Debts and Claims.

Morning call concluded.

Senate Bill No. 35.

The Chair laid before the Senate, as pending business, under special order.

S. B. No. 35, A bill to be entitled "An Act providing for taking scholastic census, the time and manner of taking the same, prescribing the duty of the person taking or reporting scholastic census, prescribing the duty of the county superintendent relative to the preservation of the scholastic census and reporting the same to the State Superintendent of Public Instruc-

tion: providing for taking census in county line districts, describing the duty and power of the State Superintendent relative thereto; providing for taking the census in independent districts in cities and towns, constituting independent districts, providing for attendance of children of scholastic age in the public schools, providing penalties for the violation of this Act, repealing Arts. 2774, 2775, 2776, 2776a, 2777, 2778, 2779, of Chapter 13, of the Revised Civil Statutes of the State of Texas and all laws and parts of laws in conflict herewith."

The bill was read second time on yesterday and

Senator Suiter offered the following two amendments, being acted on separately; all being adopted:

(1) Amend S. B. No. 35, page 170 of the Senate Journal, column 1, line 5, by inserting after the word "transferred" and before the period, the following: "Or from which they moved."

(2) Amend S. B. No. 35 as printed in Senate Journal, page 170, line 1, first column, by inserting after the word "district" and before the word "and" the following: "Or have moved to his district."

Senator Suiter offered the following amendment:

Amend S. B. No. 35 as printed in the Senate Journal, page 170, line 17, first column, by inserting after the word "school" and before the period, the following: "provided that the principal teacher of any school which may close its term before the first day of May shall make such itemized statement at the time of the closing of his school and no teacher who is required by this Act to make such statement shall be paid his last month's salary until such statement is filed as provided herein, and any teacher making any part of such itemized statement shall make the affidavit to said statement provided by this Act."

The amendment was read and adopted by the following vote:

Yeas—14.

Baugh.	Murphy.
Bledsoe.	Rogers.
Burkett.	Suiter.
Clark.	Watts.
Doyle.	Williams.
Fairchild.	Willis.
McMillin.	Woods.

Nays—8.

Bailey.	Lewis.
Buchanan.	Parr.
Dudley.	Richards.
Hertzberg.	Wood.

Absent.

Cousins.	Floyd.
Darwin.	Hall.
Davidson.	Page.
Dorough.	Witt.

Absent—Excused.

Carlock.

(Senator Clark in the Chair.)

Pending discussion, Senator Page secured unanimous consent to, at this time, take up, without displacing the further consideration of the above bill, S. B. No. 82.

Senate Bill No. 82.

The Chair laid before the Senate, on second reading,

S. B. No. 82, A bill to be entitled "An Act to amend Articles 448, Chapter 5, Revised Civil Statutes of the State of Texas, 1911, relating to the amount to be paid to Banking Board of the State of Texas by any bank and trust company which now has the payment of its deposits guaranteed by the Depositors' Guaranty Fund or which may hereafter elect to secure its deposits under the Depositors' Guaranty Fund and limiting the amount of Depositors' Guaranty Fund to five million dollars; and giving authority to the Banking Board, in case such fund falls below five million dollars, or in case of emergency at any time, to require of each member bank a payment into said fund of two per cent of its average daily deposits or such part thereof as may be necessary to restore said fund to the sum of five million dollars; and providing that no bank shall ever be required to pay into said fund more than two per cent of its average daily deposits for any one year; and providing that the first payment herein to be made by a bank coming under the provisions of said Depositors' Guaranty Fund shall be made to said Board without reference to said maximum amount, and declaring an emergency."

The committee report was adopted.

(Lieutenant Governor Davidson in the chair.)

The bill was read second time and passed to engrossment.

On motion of Senator Page, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 82 put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	McMillin.
Baugh.	Murphy.
Bledsoe.	Page.
Buchanan.	Parr.
Burkett.	Richards.
Clark.	Rogers.
Davidson.	Suiter.
Doyle.	Watts.
Dudley.	Williams.
Fairchild.	Willis.
Floyd.	Witt.
Hall.	Wood.
Hertzberg.	Woods.
Lewis.	

Absent.

Cousins. Dorrough.
Darwin.

Absent—Excused.

Carlock.

The bill was read third time and passed finally by the following vote:

Yeas—27.

Bailey.	McMillin.
Baugh.	Murphy.
Bledsoe.	Page.
Buchanan.	Parr.
Burkett.	Richards.
Clark.	Rogers.
Davidson.	Suiter.
Doyle.	Watts.
Dudley.	Williams.
Fairchild.	Willis.
Floyd.	Witt.
Hall.	Wood.
Hertzberg.	Woods.
Lewis.	

Absent.

Cousins. Dorrough.
Darwin.

Absent—Excused.

Carlock.

Senate Bill No. 35.

Action recurred on Senate Bill No. 35, the question being on engrossment.

The bill, having been read second time, was passed to engrossment by the following vote:

15—Senate.

Yeas—14.

Baugh.	Rogers.
Buchanan.	Suiter.
Davidson.	Watts.
Doyle.	Williams.
Floyd.	Willis.
McMillin.	Witt.
Murphy.	Woods.

Nays—12.

Bailey.	Hertzberg.
Bledsoe.	Lewis.
Burkett.	Page.
Clark.	Parr.
Fairchild.	Richards.
Hall.	Wood.

Absent.

Darwin. Dorrough.

Absent—Excused.

Carlock.

(Pair Recorded.)

Senator Dudley (present), who would vote "nay"; with Senator Cousins (absent), who would vote "yea."

Senate Bill No. 19.

The question here arose as to which of two bills, S. B. No. 19—the Rural School Aid bill; or H. B. No. 8—Senatorial Redistricting Bill was the order of business.

After discussion of the matter by Senator Bledsoe, who contended that H. B. No. 8 was the pending special order, etc., and the examination of the endorsements on the bill, the Chair, Lieutenant Governor Davidson, held that S. B. No. 19 was the order of business.

Action recurred on S. B. No. 19, being the Rural School Aid Bill, which had been read second time on August 6.

The question was on the following amendment:

Amend committee amendments, lines 16 and 19, page 10, by striking out the figures \$1,000,000 and insert in lieu thereof the figures \$1,500,000.

The amendment was again read, and was lost.

Senator McMillin offered the following amendment:

Amend S. B. No. 19, page 2, by striking out the period and inserting a semicolon at the end of the line and adding the following:

"Provided that none of the money appropriated by this Act shall be allotted to any independent or common school district in which property belonging to the State of Texas is located unless said district is entitled to receive same under the provisions of this Act; and it is further provided that none of the money appropriated by this Act shall be expended for the purpose of disseminating by any means information to influence voters in any election whatsoever."

The amendment was read, and,

Senator Murphy called for a division of the amendment, and moved to table the first division, which was down to and including the word "Act."

The motion to table was lost, and this division was adopted.

Action recurred on the second division of the amendment, and was adopted.

Senator Suiter offered the following amendment: which was read and adopted:

Amend S. B. No. 19, page 6, line 6, by changing the period after the word "State" to a semicolon, and add thereafter the following:

"Provided that in no event shall any teacher in any school to which State aid is granted be paid more than the following amounts: To a teacher holding a second grade certificate, the sum of \$100.00 per month; a teacher holding a first grade certificate, \$125.00 per month; and a teacher holding a permanent certificate, \$150.00 per month."

Senator Clark offered the following amendment:

Amend S. B. No. 19, as follows: Strike out all after the enacting clause with the exception of Section 11 of the bill, and insert "Section 1."

Section 1. For the purpose of promoting and aiding all the public schools of this State, One Million (\$1,000,000.00) Dollars is hereby appropriated out of any money in the State Treasury not otherwise appropriated, for the school year ending August 31, 1922, and One Million (\$1,000,000.00) Dollars is hereby appropriated out of any money in the State Treasury not otherwise appropriated, for the year ending August 31, 1923, said sums to be added to the available school funds for the scholastic years beginning September 1, 1921, and ending August 31, 1922, and beginning September 1, 1922, and ending August 31, 1923, and distributed

in accordance with the Statutes now controlling the distribution of the available school funds of the State, as provided by Articles 2725 and 2726, Chapter 9, Title 48, Revised Civil Statutes of Texas.

Change Section 11 by making it Section 2.

The amendment was read, and,

Senator Floyd moved to table the amendment, which motion to table was adopted.

Senator Richards offered the following amendment:

Amend S. B. No. 19 by striking out Subdivision No. 5 of Sec. 3 on page 6 of the bill, lines 23 to 25 inclusive.

Action recurred on the amendment and the same was adopted by the following vote:

Yeas—19.

Bailey.	McMillin.
Bledsoe.	Murphy.
Buchanan.	Parr.
Burkett.	Richards.
Clark.	Suiter.
Davidson.	Watts.
Doyle.	Williams.
Dudley.	Wood.
Hall.	Woods.
Lewis.	

Nays—2

Baugh.	Page.
Fairchild.	Rogers.
Floyd.	Willis.
Hertzberg.	Witt.

Absent.

Cousins.	Dorough.
Darwin.	

Absent—Excused.

Carlock.

(Senator Murphy in the chair.)

Senator Fairchild offered the following amendment, which was read and adopted:

Amend S. B. No. 19, on page 2, after the words shown in line No. 29, Sec. 2a, which reads as follows: Any common or independent school district which has no special tax but where private donation is made for the benefit of the school, either by person or persons, or a corporation then that district shall be entitled to the same proportion of the State aid as any other district that is provided for under this law.

Senator Burkett offered the following amendment:

Amend committee amendment by striking out the figures \$1,000,000 and restoring the figures \$2,000,000 as in the original bill.

The amendment was lost, and,

Senator Burkett moved to reconsider the vote by which the amendment was lost and demanded a yea and nay vote.

Senator Dudley moved to table the motion to reconsider, which motion to table was adopted, by the following vote:

Yeas—17.

Bailey.	Parr.
Baugh.	Richards.
Bledsoe.	Rogers.
Clark.	Watts.
Doyle.	Williams.
Dudley.	Witt.
Hall.	Wood.
McMillin.	Woods.
Murphy.	

Nays—10.

Buchanan.	Hertzberg.
Burkett.	Lewis.
Davidson.	Page.
Fairchild.	Suiter.
Floyd.	Willis.

Absent.

Cousins.	Dorough.
Darwin.	

Absent—Excused.

Carlock.

Senator McMillin offered the following amendment:

Amend S. B. No. 19, page 2, by adding after the word "whatsoever" the following:

"And it is further provided that none of the money appropriated shall be used to augment the salary of any teacher who may at the time this Act becomes effective be under contract to teach for a specified amount."

Pending.

Simple Resolution No. 32.

By Senator Hertzberg:

Whereas, Hon. O. B. Black, mayor of San Antonio, and a former distinguished member of the House of Representatives, is now in the capitol; therefore be it

Resolved, That he be invited to address the Senate and be accorded the privileges of the floor.

Hertzberg, Page, Willis, Wood.

The resolution was read and adopted, and the signers of the resolution were appointed to escort Mayor Black to the President's stand, and, after being introduced, addressed the Senate briefly.

Message from the House.

Hall of the House of Representatives, Austin, Texas, Aug. 9, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 2, A bill to be entitled "An Act abolishing the Markets and Warehouse Department and the Weights and Measures Department, and conferring all authority, powers, duties, functions, rights, and liabilities of the Commissioner of Markets and Warehouses and of said Markets and Warehouse department and Weights and Measures Department upon the Commissioner of Agriculture; abolishing the board, consisting of the Governor, Commissioner of Agriculture and the Commissioner of Insurance and Banking, created by Chapter 5, General Laws of the Second Called Session of the Thirty-third Legislature, and vesting the powers and duties of said board in the Commissioner of Insurance and Banking, relative to warehouses, upon the Commissioner of Agriculture, except such as are conferred by Chapter 3, General Laws, Second Session of the Thirty-third Legislature; conferring power and authority upon the Commissioner of Agriculture to administer the provisions of Chapter 5, General Laws, Second Called Session of the Thirty-third Legislature, Chapter 41, General Laws, First Called Session of the Thirty-fifth Legislature, and Chapter 116 of the General Laws, Regular Session, Thirty-sixth Legislature, or so much of said statutes as are in force; transferring the appropriations of the Markets and Warehouse Department and the Weights and Measures Department to the Commissioner of Agriculture, and declaring an emergency."

Respectfully submitted,

C. L. PHINNEY.

Chief Clerk House of Representatives.

Bills Read and Referred.

The Chair, Lieutenant Governor Davidson, had referred, after their captions had been read, the following House Bill:

H. B. No. 2, Referred to Committee on Agricultural Affairs.

Recess.

Senator Clark, at 12:00 o'clock, noon, moved that the Senate recess until 2:30 o'clock today.

Senator Wood moved that the Senate recess until 2:00 o'clock today.

Action recurred on the longest time last and the motion to recess until 2:30 was lost, by the following vote:

Yeas—11.

Bailey.	Page.
Buchanan.	Richards.
Clark.	Watts.
Doyle.	Witt.
Fairchild.	Woods.
Floyd.	

Nays—16.

Baugh.	McMillin.
Bledsoe.	Murphy.
Burkett.	Parr.
Darwin.	Rogers.
Davidson.	Suiter.
Dudley.	Williams.
Hertzberg.	Willis.
Lewis.	Wood.

Absent.

Cousins.	Hall.
Dorough.	

Absent—Excused.

Carlock.

(Lieutenant Governor Davidson in the chair.)

Senator Fairchild moved that the Senate recess until 3:00 o'clock today, and the motion was lost, by the following vote:

Yeas—11.

Buchanan.	Parr.
Clark.	Richards.
Doyle.	Watts.
Fairchild.	Witt.
Floyd.	Woods.
Page.	

Nays—15.

Bailey.	Bledsoe.
Baugh.	Burkett.

Darwin.	Murphy.
Davidson.	Suiter.
Dudley.	Williams.
Hertzberg.	Willis.
Lewis.	Wood.
McMillin.	

Absent.

Cousins.	Hall.
Dorough.	Rogers.

Absent—Excused.

Carlock.

Senator Page moved to recess until 2:35 o'clock today, which motion was lost.

The motion to recess until 2:00 o'clock was then adopted.

After Recess.

The Senate was called to order by Lieutenant Governor Davidson.

Senate Bill No. 19.

Action recurred on the consideration of S. B. No. 19, the question being on the pending amendment by Senator McMillin, and,

Senator Floyd moved to table the amendment, which motion to table was lost.

Action recurred on the amendment and the same was lost, by the following vote:

Yeas—11.

Bledsoe.	Parr.
Clark.	Richards.
Darwin.	Watts.
Doyle.	Williams.
Dudley.	Woods.
McMillin.	

Nays—12.

Bailey.	Murphy.
Baugh.	Page.
Buchanan.	Rogers.
Burkett.	Suiter.
Fairchild.	Willis.
Floyd.	Wood.

Absent.

Cousins.	Hertzberg.
Davidson.	Lewis.
Dorough.	Witt.
Hall.	

Absent—Excused.

Carlock.

Senator Dudley offered the following amendment:

Amend S. B. No. 19, page 5, line 19 by striking out the figures "\$500" and inserting in lieu thereof the figures "\$300."

Senator Floyd moved to table the amendment, which motion was lost.

Action recurred on the motion to adopt the amendment and the same was lost by the following vote:

Yeas—12.

Bailey.	McMillin.
Bledsoe.	Page.
Clark.	Parr.
Darwin.	Richards.
Dudley.	Williams.
Hertzberg.	Wood.

Nays—13.

Baugh.	Rogers.
Buchanan.	Suiter.
Burkett.	Watts.
Doyle.	Willis.
Fairchild.	Witt.
Floyd.	Woods.
Murphy.	

Absent.

Cousins.	Hall.
Davidson.	Lewis.
Dorough.	

Absent—Excused.

Carlock.

The bill was passed to engrossment.

On motion of Senator Floyd, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 19 put on its third reading and final passage by the following vote:

Yeas—25.

Bailey.	Murphy.
Baugh.	Page.
Bledsoe.	Parr.
Buchanan.	Richards.
Burkett.	Rogers.
Clark.	Suiter.
Darwin.	Watts.
Doyle.	Williams.
Dudley.	Willis.
Fairchild.	Witt.
Floyd.	Wood.
Hertzberg.	Woods.
McMillin.	

Absent.

Cousins.	Hall.
Davidson.	Lewis.
Dorough.	

Absent—Excused.

Carlock.

The bill was read third time and passed finally, by the following vote:

Yeas—24.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Murphy.
Buchanan.	Page.
Burkett.	Parr.
Clark.	Rogers.
Darwin.	Suiter.
Dorough.	Watts.
Doyle.	Williams.
Dudley.	Willis.
Fairchild.	Witt.
Floyd.	Wood.
Hertzberg.	Woods.

Absent.

Cousins.	Hall.
Davidson.	Richards.

Absent—Excused.

Carlock.

House Bill No. 8.

The Chair laid before the Senate, on second reading and special order,

H. B. No. 8, A bill to be entitled "An Act to amend Articles 24 and 25, Revised Civil Statutes of Texas, 1911, apportioning the State of Texas into Senatorial Districts; declaring what counties shall constitute each Senatorial District; providing for returns of elections; repealing all laws in conflict herewith, and declaring an emergency."

Senator Bledsoe asked that unanimous consent be given that H. B. No. 8, be continued as a special order until 3:00 o'clock today.

There being no objection, it was so ordered.

Senate Bill No. 58.

By unanimous consent, secured by Senator Bailey, the Chair laid before the Senate, on second reading,

S. B. No. 58, A bill to be entitled "An Act to amend Chapter 146 of the General Laws of the State of Texas, passed by the Thirty-fifth Legislature at its Regular Session and entitled 'An Act to amend Chapter 124 of the General Laws of the State of Texas, passed by the Thirty-fourth

Legislature at its Regular Session and entitled An Act to amend Articles 7608, 7610, and 7618 of the Revised Civil Statutes of the State of Texas, 1911, relating to taxation; providing for a maximum bond of tax collectors; fixing the time for filing by tax collectors of their report, and repealing all laws and parts of laws in conflict therewith and declaring an emergency; providing for a reduction in the amount of the bonds required under provisions of said Articles 7608 and 7610, and further providing that the premiums on such bonds may be paid by the county of which the principal therein is tax collector, out of the General Revenues of the county, and declaring an emergency; providing that the premiums on the bonds required under the provisions of said Article 7610 shall be paid by the county of which the principal therein is tax collector, out of the General Revenues of the county, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Bailey, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 58 put on its third reading and final passage by the following vote:

Yeas—24.

Bailey.	McMillin.
Baugh.	Murphy.
Bledsoe.	Page.
Buchanan.	Parr.
Burkett.	Rogers.
Clark.	Suiter.
Darwin.	Watts.
Doyle.	Williams.
Dudley.	Willis.
Fairchild.	Witt.
Floyd.	Wood.
Hertzberg.	Woods.

Absent.

Cousins.	Hall.
Davidson.	Lewis.
Dorough.	Richards.

Absent—Excused.

Carlock.

The bill was read third time and passed finally.

Senate Bill No. 93.

(By unanimous consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 93, A bill to be entitled "An Act authorizing the navigation districts created for the development of deep water navigation containing municipalities of one hundred thousand population or more to acquire, purchase, take over, construct, maintain, operate, develop and regulate wharves, docks, warehouses, grain elevators, bunkering facilities, belt railroads, floating plants, lighterage, lands, towing facilities, and other facilities or aids incident to the operation and development of a port, ports, waterways, and the navigation district, and to issue bonds bearing interest for such purposes, as herein or by existing laws are provided; prescribing the method of an election to provide such powers; providing for a hearing upon petition for said election, etc., and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Murphv, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 93 put on its third reading and final passage by the following vote:

Yeas—24.

Bailey.	McMillin.
Baugh.	Murphy.
Bledsoe.	Page.
Buchanan.	Parr.
Burkett.	Rogers.
Clark.	Suiter.
Darwin.	Watts.
Doyle.	Williams.
Dudley.	Witt.
Fairchild.	Willis.
Floyd.	Woods.
Hertzberg.	Woods.

Absent.

Cousins.	Hall.
Davidson.	Lewis.
Dorough.	Richards.

Absent—Excused.

Carlock.

The bill was read third time and passed finally, by the following vote:

Yeas—21.

Bailey.	McMillin.
Baugh.	Murphy.
Bledsoe.	Page.
Buchanan.	Parr.
Burkett.	Rogers.
Clark.	Suiter.
Darwin.	Williams.
Dudley.	Willis.
Fairchild.	Wood.
Floyd.	Woods.
Hertzberg.	

Absent.

Cousins.	Lewis.
Davidson.	Richards.
Dorough.	Watts.
Doyle.	Witt.
Hall.	

Absent—Excused.

Carlock.

Senate Bill No. 15.

Senator Darwin called up from the table,

S. B. No. 15, known as the Pink Bollworm Bill, and which was read second time on August 5. (See caption in Journal of August 5.)

Senator Darwin offered the following several amendments, being acted on separately, and being adopted:

(1) Amend Section 9, page 8, by adding at the end thereof the following:

"If any claimant is dissatisfied with the action of the Claim Board on his claim, he shall have the right within six months after the decision of the Claim Board to make application to the District Court of the county of which he is a resident or in which his cotton was destroyed or in which he was prevented from growing cotton and have the action of the Claim Board reviewed by such District Court. If the State, acting through the Commissioner of Agriculture, is dissatisfied with any such decision of the Claim Board, it shall likewise have the right to resort to said court for such review."

(2) Amend Section 14, page 11, by striking out the words "approved by the Commissioner of Agriculture" beginning in line 6 and ending in line 7, page 11, and by inserting in lieu thereof the following: "or upon certified copy of the final judgment of a court of competent jurisdiction."

(3) Amend Section 15, page 12, by adding at the end thereof the following: "The District Court of the county in which any criminal case is filed under the provisions of this section may, upon the application of either the State or of the defendant and showing that the applicant can not obtain a fair trial in that county, order a change of venue to an adjoining county or district."

(4) Amend Section 8, page 6, line 20, by striking out the words "a fair rental value of the land," and insert in lieu thereof "the actual and necessary losses sustained thereby."

(5) Amend entire Act by striking out all of Section 16.

(6) Amend Section 8, page 6, line 23, by striking out the words "fixing the fair rental value or the amount of all determinable losses," and insert in lieu thereof "determining the actual and necessary losses."

(7) Amend caption, page 2, line 4, by striking out "fixing the venue in all cases arising under the provisions of this Act," and inserting in lieu thereof the following: "providing for the change of venue in criminal cases arising under this Act."

(8) Amend Section 5, page 4, by adding at the end thereof the following: "Provided, however, before recommending the establishment or continuance in any county in this State bounded by an international boundary line, of a non-cotton zone, under this or any other section of this Act, the Pink Bollworm Commission shall give careful consideration to the conditions existing, or likely to exist, on the non-Texas side of said boundary line, and the evidence concerning such conditions shall be such as to reasonably show that the establishment of a non-cotton zone in said county will effectively protect the cotton industry of this State against the further spread of the infestation."

Senator Darwin offered the following amendment:

Amend the entire bill by adding a new section to be known as Section 8A.

Section 8A. All persons in this State who have heretofore been prevented from producing cotton by reason of any non-cotton zone declared by authority of any Act of the Legislature of this State on this sub-

ject, shall be entitled to receive compensation from the State in the measure of their actual and necessary losses resulting directly from the effects of such non-cotton zone. Such losses shall be determined by the Compensation Claim Board herein provided for in the same manner as herein provided for the determination of losses in non-cotton zones. No such claim for compensation shall be considered unless it shall be filed within ninety days after this Act becomes effective. There is hereby appropriated out of the General Revenue the sum of fifty thousand (\$50,000) dollars with which to pay for such losses, and no other appropriation herein made shall be used for such purpose.

The amendment was read and lost by the following vote:

Yeas—11.

Bailey.	Parr.
Dudley.	Richards.
Floyd.	Suiter.
Hertzberg.	Watts.
Lewis.	Woods.
Murphy.	

Nays—12.

Baugh.	McMillin.
Bledsoe.	Page.
Burkett.	Rogers.
Clark.	Williams.
Doyle.	Willis.
Fairchild.	Wood.

Present—Not Voting.

Buchanan.	Darwin.
-----------	---------

Absent.

Cousins.	Hall.
Davidson.	Witt.
Dorough.	

Absent—Excused.

Carlock.

Senator Fairchild offered the following amendment:

Amend S. B. No. 15, on page 10, line 32, by striking out the words and figures "fifty thousand (\$50,000) dollars" and insert in lieu thereof the words and figures "fifteen thousand (\$15,000) dollars."

After discussion,

Senator Darwin moved to table the amendment, which motion to table was lost by the following vote:

Yeas—12.

Baugh.	McMillin.
Bledsoe.	Murphy.
Darwin.	Parr.
Dudley.	Williams.
Hertzberg.	Willis.
Lewis.	Wood.

Nays—14.

Bailey.	Hall.
Buchanan.	Page.
Burkett.	Richards.
Clark.	Rogers.
Doyle.	Suiter.
Fairchild.	Watts.
Floyd.	Woods.

Absent.

Cousins.	Dorough.
Davidson.	Witt.

Absent—Excused.

Carlock.

Action recurred on the amendment, and the same was lost by the following vote:

Yeas—12.

Bailey.	Floyd.
Buchanan.	Hall.
Burkett.	Page.
Clark.	Richards.
Doyle.	Rogers.
Fairchild.	Woods.

Nays—14.

Baugh.	Murphy.
Bledsoe.	Parr.
Darwin.	Suiter.
Dudley.	Watts.
Hertzberg.	Williams.
Lewis.	Willis.
McMillin.	Wood.

Absent.

Cousins.	Dorough.
Davidson.	Witt.

Absent—Excused.

Carlock.

Senator Clark offered the following amendment:

Amend S. B. No. 15, on page 10, line 29, by striking out the figures "\$250,000" and in lieu thereof insert "\$125,000"; and in line 31, strike out the figures "\$50,000" and insert in lieu thereof "\$25,000"; and

in line 29 insert "\$100,000" in lieu of "\$200,000."

Pending.

House Bill No. 8.

Here Senator Bledsoe called for the special order for this hour, H. B. No. 8, the Senatorial Redistricting Bill, the hour to which it was postponed having arrived.

There being an adverse majority committee report recommending that a substitute bill do pass, and an adverse minority committee report,

Senator Clark moved to adopt the minority, adverse, committee report, and,

Senator Bledsoe moved, as a substitute, to adopt the majority committee report.

The substitute motion was adopted, and the committee substitute for the bill was considered.

Senator Buchanan offered the following amendment:

Amend committee substitute for H. B. No. 8, page 2, line 10, by striking out the words "Hood, Somerville."

Amend committee substitute for H. B. No. 8, page 1, line 28, by adding after the words "Ellis" the words "Hood, Somerville."

Senator Clark moved to table the amendment, but the motion was lost.

The amendment was adopted.

Senator Parr offered the following amendments, separately, which were acted on separately, and were adopted:

(2) Amend C. S. H. B. No. 8, page 2, line 21, by striking out the words "Bandera, Medina," and by adding the words "Bandera, Medina" after the word "Bexar" in line 20.

(3) Amend C. S. H. B. 8, page 2, line 21, by striking out the word "Uvalde," and by adding the word "Uvalde" after the word "Pecos," in line 29.

(4) Amend C. S. H. B. No. 8, page 2, line 20, by striking out the word "Gillespie" and by adding the word "Gillespie" to the end of line 26.

Senator Fairchild offered the following amendment:

Amend C. S. H. B. No. 8, by striking out all of line No. 17, page 1 after the figure 3 and all of line No. 18, page 1, and insert in lieu thereof the words

"Angelina, Cherokee, Anderson, Houston and Trinity."

The amendment was read and lost. Senator Wood offered the following amendment:

Amend C. S. H. B. No. 8, page 2, line 9 by striking out the word "Milam" and insert in lieu thereof "Travis," also amend the bill by adding Milam to District No. 13, line 29, page 1.

Action recurred on the amendment, the yeas and nays being called for, and was adopted by the following vote:

Yeas—21.

Bailey.	McMillin.
Baugh.	Murphy.
Bledsoe.	Page.
Buchanan.	Richards
Burkett.	Rogers.
Clark.	Suiter.
Darwin.	Williams.
Doyle.	Willis.
Dudley.	Wood.
Hall.	Woods
Hertzberg.	

Nays—2.

Fairchild.	Parr
------------	------

Present—Not Voting.

Floyd.	Lewis.
--------	--------

Absent.

Cousins.	Watts.
Davidson.	Witt.
Dorough.	

Absent—Excused.

Carlock.

Senator Doyle offered the following amendment:

Amend C. S. H. B. No. 8, page 1, line 22 by erasing the names Navarro, Henderson and Anderson, and inserting in lieu of them Limestone, Robertson, Brazos, Leon and Madison, thus forming the Sixth Senatorial District of Freestone, Limestone, Brazos, Leon and Madison.

The amendment was discussed, and lost, and,

Senator Fairchild moved to reconsider the vote by which the amendment was lost, which motion to reconsider was lost by the following vote:

Yeas—9.

Clark.	Dorough.
Davidson.	Doyle.

Fairchild.
Floyd.
Hall.

Richards
Rogers.

Nays—19.

Bailey.
Baugh.
Bledsoe.
Buchanan.
Burkett.
Darwin.
Dudley.
Hertzberg.
Lewis.
McMillin.

Murphy.
Page.
Parr
Suiter.
Watts.
Williams.
Willis.
Witt.
Wood.

Present—Not Voting.

Woods

Absent.

Cousins.

Absent—Excused.

Carlock.

Senator Rogers offered the following amendment, which was read and adopted:

Amend C. S. H. B. No. 8, page 1, by transferring Rains County from District No. 8 to District No. 10.

Senator Rogers offered the following amendment, which was read and adopted:

Amend C. S. H. B. No. 8, page 1, by transferring Kaufman County from District No. 10 to District No. 6.

Senator Floyd offered the following amendment, which was read and adopted:

Amend the bill, page 1, line 25, by striking out the word "Titus" and insert in lieu thereof the word "Red River" and insert at end of line 15 the word "Titus."

Senator Dorrough offered the following amendment, which was read and adopted:

Amend S. B. No. 8, page 1, line 13 by striking out the words "Red River."

Senator Wood offered the following amendment:

Amend C. S. H. B. No. 8, by inserting between lines 25 and 26 on page 4, the following: "Sec. 4. This Act shall take effect and be in force on and after April 1, A. D. 1924, and not sooner."

Senator Bledsoe moved to table the amendment, which motion to table was lost by the following vote:

Yeas—13.

Bailey.

Baugh.

Bledsoe.
Buchanan.
Burkett.
Clark.
Doyle.
Dudley.

Hall.
Hertzberg.
McMillin.
Page.
Williams.

Nays—15.

Darwin.
Davidson.
Dorough.
Fairchild.
Floyd.
Lewis.
Murphy.
Parr

Richards.
Rogers.
Suiter.
Watts.
Witt.
Wood.
Woods

Absent—Excused.

Carlock.

Pair Recorded.)

Senator Willis (present), who would vote "yea"; with Senator Cousins (absent), who would vote "nay."

Action recurred on the amendment, the yeas and nays being called for, and the amendment was adopted by the following vote:

Yeas—15.

Darwin.
Dorough.
Doyle.
Fairchild.
Floyd.
Hall.
Lewis.
Parr

Richards.
Rogers.
Suiter.
Watts.
Witt.
Wood.
Woods

Nays—13.

Bailey.
Baugh.
Bledsoe.
Buchanan.
Burkett.
Clark.
Davidson.

Dudley.
Hertzberg.
McMillin.
Murphy.
Page.
Williams.

Absent—Excused.

Carlock.

(Pair Recorded.)

Senator Willis (present), who would vote "nay"; with Senator Cousins (absent), who would vote "yea."

Senator Wood offered the following amendment, which was read and adopted:

Amend C. S. H. B. No. 8 by striking out the figure "4" in line 13, page 4, and insert in lieu thereof the figure "6."

Senator Woods offered the following amendment:

Amend C. S. H. B. No. 8 by striking out the word "Anderson," line 17, page 3, and insert the word "Navarro."

The amendment was read and adopted.

Senator Lewis offered the following amendment, which was read and adopted:

Amend C. S. H. B. No. 8, line 16, page 3, by striking out the word "Houston" and inserting in lieu thereof the word "Walker."

Senator Bledsoe offered the following amendment:

Amend C. S. H. B. No. 8 as amended, by adding thereto on page 3 the following:

Sec. 5. Should any provision, part or Section of this Act be held to be unconstitutional, it shall in no wise affect the remainder of the Act, but that the remainder of the Act shall be and remain in full force and effect as though the portion that may be held unconstitutional had never been a part of this Act.

The amendment was read and adopted.

Senator Wood offered the following amendment:

Amendment No. 15 to H. B. No. 8.

Amend C. S. H. B. No. 8, page 4 by striking out all after the word "suspended" in line 17 and all of lines 18 and 19.

Senator Dorrough offered the following substitute for the above amendment:

Amend C. S. H. B. No. 8 by striking out all of Sec. No. 4, page 4, (now Section 6), which is the emergency clause.

Senator Darwin moved to table the substitute for the amendment, which motion to table was adopted.

The amendment by Senator Wood was then adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days was suspended, and H. B. No. 8 put on its third reading and final passage by the following vote:

Yeas—26.

Bailey.	Buchanan.
Baugh.	Burkett.
Bledsoe.	Clark.

Darwin.	Parr
Davidson.	Richards.
Doyle.	Rogers.
Dudley.	Suiter.
Hall.	Watts.
Hertzberg.	Williams.
Lewis.	Willis.
McMillin.	Witt.
Murphy.	Wood.
Page.	Woods

Nays—3.

Dorough.	Floyd.
Fairchild.	

Absent.

Cousins.

Absent—Excused.

Carlock.

The bill was read third time and passed finally, by the following vote:

Yeas—27.

Bailey.	McMillin.
Baugh.	Murphy.
Bledsoe.	Page.
Buchanan.	Parr
Burkett.	Richards.
Clark.	Rogers.
Darwin.	Suiter.
Davidson.	Watts.
Dorough.	Williams.
Dudley.	Willis.
Floyd.	Witt.
Hall.	Wood.
Hertzberg.	Woods
Lewis.	

Nays—2.

Doyle.	Fairchild.
--------	------------

Absent.

Cousins.

Absent—Excused.

Carlock.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, August 9, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to engross:

H. B. No. 23, A bill to be entitled "An Act empowering the commissioners court to contract for the collection of delinquent taxes in all cases where the county or district attorney has for any reason failed to enforce the collection of delinquent or insolvent taxes,

within a period of one year from the date on which lands and lots became delinquent, or at any other time upon the filing with the commissioners court of a statement made and signed by the county or district attorney to the effect that he is unable to institute these suits for any reason; providing further, that the commission to be paid for the collection of these delinquent taxes shall not exceed 25 per cent of the total tax due, and that the commissioners court shall advertise for bidders and contract to be awarded the lowest bidder; the Comptroller shall and is hereby authorized to contract with the same attorney or attorneys, and on the same terms for the collection of State taxes."

Respectfully submitted,
C. L. PHINNEY,
Chief Clerk, House of Representatives.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, August 9, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the report of the Joint Committee appointed to arrange for the acceptance of Mrs. Clara Driscoll Sevier's portrait.

Respectfully submitted,
C. L. PHINNEY,
Chief Clerk, House of Representatives.

Program Adopted.

On motion of Senator Bailey the report above referred to was adopted, and following is the report in full:

Austin, Texas,
August 9, 1921.

Hon. Lynch Davidson, President of the Senate, and Hon. Chas. G. Thomas, Speaker of the House.

Sirs: We, your Joint Committee, appointed from the Senate and House, to arrange ceremonies for the hanging of the portrait of Mrs. Clara Driscoll Sevier on Thursday, August 11th, at 11 o'clock, beg to report that we have arranged the following program:

Program.

I. Joint meeting of House and Senate in Hall of House of Representatives on Thursday, August 11, 1921, at 11 o'clock a. m..

II. House called to order by Speaker.

III. House called to order by President.

IV. Joint Committee escort Mrs. Clara Driscoll Sevier and her attendants to Speaker's stand.

V. Presentation of portrait of Mrs. Sevier to the State of Texas through the Legislature by Senator Harry Hertzberg.

VI. Acceptance of portrait of Mrs. Sevier on behalf of State by Hon. Chas. G. Thomas, Speaker of the House.

VII. Adjournment of Joint Session.

BAILEY,

HERTZBERG.

On part of the Senate.

FLY,

THOMPSON

of Harris,

On part of the House.

Message from the Governor.

Governor's Office,
Austin, Texas, August 9, 1921.

To the Senate and the House of Representatives.

Gentlemen: Certain members of the Legislature are exceedingly anxious to have passed some local legislation in regard to school matters, and I, therefore, submit to you the following for your consideration:

Laws creating the Ranger Independent School District, Eastland County; Chillicothe Independent School District, Hardeman County; Three P Independent School District, Fannin County; Soudan Independent School District, Lamb County; Forney Independent School District, Kaufman County; Cooper Independent School District, Delta County; providing for trustees and other matters in regard to the San Antonio Independent School District; reorganization of the terms of the court Forty-seventh Judicial District of Texas; providing that any town or city in the State having a population of 161,000. or more, according to the last United States census, may provide for the payment of current expenses of said city by the issuance of warrants drawn against the current revenues of said city, provided further that such warrants shall constitute a lien upon the revenues of such city; an Act to repeal Art. 2750, Revised Civil Statutes, providing for the election of county superintendents of public instruction by county board of

school electors, and providing further for the election of school trustees of common school districts and of independent school districts, and abolishing the Lodge Independent School District, Hall County, and creating Common School Districts numbers 11, 15 and 25.

Respectfully submitted,
PAT M. NEFF, Governor.

Bills and Resolutions.

(By Unanimous Consent.)

By Senator Hertzberg:

S. B. No. 98. A bill to be entitled "An Act providing that any city or town in this State having a population of 161,000 or more, according to last United States census, may provide for the payment of current expenses of said city or town for any fiscal year or portion thereof by the issuance of warrants drawn against the current revenues of said city or town for such fiscal year to the extent of eighty per cent of such revenues, etc."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Darwin:

S. B. No. 99. A bill to be entitled "An Act to amend Section 1 of Senate Bill No. 37, enacted at the Second Called Session of the Thirty-sixth Legislature, defining the boundaries of the 'Three P Independent School District' in Fannin County, Texas, revising the metes and bounds of said district, continuing in full force and effect all legal debts, obligations, and taxes heretofore legally authorized therein, and all other provisions, and declaring an emergency."

Read first time and referred to Committee on Education.

Simple Resolution No. 31.

Committee Room,
Austin, Texas, Aug. 9, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Claims and Accounts, to whom was referred the claim of Mrs. Letha Hawkins for the sum of one hundred ninety-five and 85-100 (\$195.85) dollars, beg to report that we have made an investigation of said claim and account and find the same to be just and correct, and, therefore, re-

port to the Senate that said claim be in all things allowed.

FAIRCHILD, Chairman.

The Senate rule requiring above committee report to lie over for one day, was suspended, and

The committee report was adopted, and,

The resolution was adopted.

Senate Bill No. 15.

Action recurred on the consideration of S. B. No. 15, the Pink Bollworm Bill, the question being on the pending amendment by Senator Clark.

(Senator Rogers in the Chair.)

Senator Clark asked for a division of the question, action recurring on that part reducing the appropriation from \$250,000 to \$125,000.

Senator Darwin moved to table that part of the amendment, which motion was lost by the following vote:

Yeas—14.

Bledsoe.	Murphy.
Buchanan.	Parr
Darwin.	Richards.
Dorough.	Suiter.
Dudley.	Williams.
Hertzberg.	Willis.
McMillin.	Witt.

Nays—14.

Baugh.	Hall.
Burkett.	Lewis.
Clark.	Page.
Davidson.	Rogers.
Doyle.	Watts.
Fairchild.	Wood.
Floyd.	Woods.

Absent.

Bailey.	Cousins.
---------	----------

Absent—Excused.

Carlock.

Action recurred on that part of the amendment down to and including line "32." and the same was adopted by the following vote:

Yeas—15.

Baugh.	Davidson.
Burkett.	Dorough.
Clark.	Doyle.

Fairchild.	Rogers.
Floyd.	Watts.
Hall.	Wood.
Lewis.	Woods

Nays—13.

Bledsoe.	Parr
Buchanan.	Richards.
Darwin.	Suiter.
Dudley.	Williams.
Hertzberg.	Willis.
McMillin.	Witt.
Murphy.	

Absent.

Bailey.	Cousins.
---------	----------

Absent—Excused.

Carlock.

Action then recurred on the remainder of the Clark amendment, and the same was adopted.

Senator Fairchild moved to reconsider the vote by which the amendment by Senator Darwin, which provided an appropriation of \$50,000 to pay for former losses in non-cotton zones, was lost.

The motion to reconsider was lost by the following vote:

Yeas—13.

Clark.	Hertzberg.
Davidson.	Murphy.
Dorough.	Parr
Dudley.	Richards.
Fairchild.	Suiter.
Floyd.	Watts.
Hall.	

Nays—14.

Baugh.	Page.
Bledsoe.	Rogers.
Buchanan.	Williams.
Burkett.	Willis.
Doyle.	Witt.
Lewis.	Wood.
McMillin.	Woods

Present—Not Voting.

Darwin.

Absent.

Bailey.	Cousins.
---------	----------

Absent—Excused.

Carlock.

Senator Darwin offered the following amendment:

Amend Section 8, page 6, line 20,

by adding after the word "land" the following:

"The owners of gins located in such non-cotton zone shall be entitled to receive compensation from the State in the measure of a fair rental value of their property which may be out of use by reason of the establishment of such non-cotton zone."

On motion of Senator Dorough, the amendment was tabled.

Senator Dudley offered the following amendment:

Amend Section 8, by striking out of line 19, page 5, the words "or has existed within three years."

The amendment was read and adopted.

Senator Dudley offered the following amendment which was read and adopted:

Amend S. B. No. 15, by striking out, in line 27, page 6, the word "cultivated."

Senator Hall offered the following amendment:

Amend S. B. No. 15, line 25, page 7, by inserting after the word "cotton," the following: "and those who have heretofore been prevented from growing cotton."

Senator Wood made the point of order that the same subject matter had been offered and voted down.

The Chair, Senator Rogers, overruled the point of order.

On motion of Senator Wood, the amendment was tabled.

Senator Dudley offered the following amendment, which was read and adopted:

Amend Section 7, by striking out from and including the word "shall" line 2, page 5, down to and including the word "he" in line 4, page 5.

The bill was read second time and passed to engrossment.

On motion of Senator Darwin, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 15 put on its third reading and final passage by the following vote:

Yeas—27.

Baugh.	Dorough.
Bledsoe.	Doyle.
Buchanan.	Dudley.
Burkett.	Fairchild.
Clark.	Floyd.
Darwin.	Hertzberg.
Davidson.	Lewis.

McMillin.	Watts.
Murphy.	Williams.
Page.	Willis.
Parr.	Witt.
Richards.	Wood.
Rogers.	Woods
Suiter.	

Nays—1.

Hall.

Absent.

Bailey.

Cousins.

Absent—Excused.

Carlock.

The bill was read third time and passed finally, by the following vote:

Yeas—25.

Baugh.	McMillin.
Bledsoe.	Murphy.
Buchanan.	Parr.
Burkett.	Richards.
Clark.	Rogers.
Darwin.	Suiter.
Davidson.	Watts.
Dorough.	Williams.
Doyle.	Willis.
Fairchild.	Witt.
Floyd.	Wood.
Hertzberg.	Woods
Lewis.	

Nays—3.

Dudley.

Page.

Hall.

Absent.

Bailey.

Cousins.

Absent—Excused.

Carlock.

(Lieutenant Governor Davidson in the Chair.)

Senate Bill No. 73.

(By unanimous consent.)

The Chair laid before the Senate, on second reading.

S. B. No. 73, A bill to be entitled "An Act to amend Chapter 1, of Title 104, Revised Civil Statutes of Texas, adopted in 1911, by inserting immediately following Article 6195 a new Article to be known as Article 6195a which shall provide in substance, in addition to the method of removing members of the Board of Prison Commissioners referred to in Article 6195 hereto, they may like-

wise be removed for the causes set forth in Article 6195 by suit brought by the Attorney General in the name of the State on the relation of the Governor; such suit to be brought in the district court of Walker County or in the county of residence of the defendant, for which purpose venue and jurisdiction is hereby conferred. It shall be the duty of the Attorney General to bring such action when directed by the Governor to do so provided the Governor accompanies such direction with charges and evidence showing that the defendant is subject to removal under Article 6195. The suit shall be a civil action to be tried as other civil cases with the right of appeal and review as in other civil cases. The courts shall have authority to issue all necessary writs to effectuate any judgment of removal rendered hereunder. Such suits for removal shall have precedence of all other cases and in appellate tribunals. The procedure of removal herein provided shall be cumulative of all other statutes relating to the subject of removal by impeachment; and declaring an emergency."

Senator Williams offered the following amendment, which was read and adopted:

Amend S. B. No. 73, by striking out all below the enacting clause, and inserting in lieu thereof the following:

Section 1. That Title 104, Chapter 1, of the Revised Civil Statutes of the State of Texas adopted in 1911, be amended by inserting therein immediately following Article 6195 a new article to be known as Article 6195a and to read as follows, to-wit:

Article 6195a. In addition to the method of removing members of the Board of Prison Commissioners referred to in Article 6195 hereof, they may likewise be removed for the causes set forth in Article 6195 by suit brought by the Attorney General in the name of the State of Texas on the relation of the Governor; such suit to be brought in the District Court of Walker County or in Travis County, or in the county of residence of the defendant, for which purpose venue and jurisdiction is hereby conferred. It shall be the duty of the Attorney General to

bring such action when directed by the Governor to do so provided the Governor accompanies such direction with charges and evidence showing the defendant is subject to removal under Article 6195. Upon the application of the Attorney General, in the name of the State of Texas, the district judge before whom such suit is pending, may immediately suspend the defendant from office, which order of suspension shall be effective until set aside by the court on the motion of the defendant, which motion upon the demand of the defendant shall have preference over all other causes pending in such court; provided however, that if the judgment of the trial court be one of removal from office, the defendant shall be forthwith suspended from office pending any appeal of the case. In the event the defendant be suspended from office, and the suit finally results in favor of the defendant, he shall be entitled to recover all the compensation which would have accrued to him had he not been suspended from office, and judgment, in such event shall be rendered against the State of Texas that the defendant recover such compensation, determining the amount thereof. The Comptroller of the State shall, upon receipt of a duly certified copy of such judgment, issue a warrant upon the State Treasury for the full amount of such judgment, such warrant to be paid by the State Treasurer out of any funds in the State not otherwise appropriated. Whenever the defendant is suspended from office, as hereinabove provided, the district judge at the time of making such order of suspension shall appoint, for the duration of such suspension, some other qualified person to discharge the duties of the officer suspended, the person so appointed shall receive the same measure of compensation provided by law for such office, to be paid from the same sources and in the same manner as same would have been paid to the officer suspended. The suit shall be a civil action to be tried as other civil cases with the right to appeal and review as in other civil cases. The courts shall have authority to issue all necessary writs to effectuate any judgment of removal or order of suspension rendered here-

under. Such suits for removal shall have precedence over all other cases in trial courts and in appellate tribunals. The procedure of removal herein provided shall be cumulative of all other statutes relating to the subject of removal from office or impeachment.

Sec. 2. The importance of this legislation and the crowded condition of the legislative calendar create an emergency and an imperative public necessity which requires that the constitutional rule providing that bills shall be read on three several days shall be suspended, and said rule is hereby suspended and this Act shall take effect and be in force from and after its passage and it is so enacted.

Senator Williams offered the following amendment, which was read and adopted:

Amend the caption to S. B. No. 73, so that it shall read as follows:

**A BILL
to be entitled**

An Act to amend Chapter 1, Title 104, Revised Civil Statutes of Texas, 1911, by inserting immediately following Article 6195, a new Article, to be known as Article 6195a, providing the method of removal from office of Prison Commissioners of the State of Texas, fixing the venue of suits for such purpose, requiring the Attorney General to institute such suits when directed to do so by the Governor of the State; prescribing the duties of the Governor in such cases, providing for the suspension of the defendant from office, and the appointment of some other person to perform the duties of such office for the duration of such suspension, fixing the compensation to be paid to such person so appointed, providing for the recovery by the defendant against the State, of the compensation which would have accrued to him during the period of such suspension, in the event such suit finally results in favor of the defendant, and providing how such judgment shall be paid; giving the courts authority to issue all necessary writs to effectuate judgments and orders hereunder; providing that the procedure of removal herein provided shall be cumulative of all other Statutes relating to the subject of removal or

impeachment; and declaring an emergency.

The bill was read second time and passed to engrossment.

On motion of Senator Williams, the constitutional rule requiring bills to be read on three several days was suspended, and S. B. No. 73 put on its third reading and final passage by the following vote:

Yeas—24.

Baugh.	McMillin.
Bledsoe.	Murphy.
Buchanan.	Page.
Burkett.	Parr.
Darwin.	Rogers.
Davidson.	Suiter.
Dorough.	Watts.
Doyle.	Williams.
Dudley.	Willis.
Floyd.	Witt.
Hertzberg.	Wood.
Lewis.	Woods.

Absent.

Bailey.	Fairchild.
Clark.	Hall.
Cousins.	Richards.

Absent—Excused.

Carlock.

The bill was read third time and passed finally by the following vote:

Yeas—24.

Baugh.	McMillin.
Bledsoe.	Murphy.
Buchanan.	Page.
Burkett.	Parr.
Darwin.	Rogers.
Davidson.	Suiter.
Dorough.	Watts.
Doyle.	Williams.
Dudley.	Willis.
Floyd.	Witt.
Hertzberg.	Wood.
Lewis.	Woods.

Absent.

Bailey.	Fairchild.
Clark.	Hall.
Cousins.	Richards.

Absent—Excused.

Carlock.

16—Senate.

Senate Bill No. 96.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading.

S. B. No. 96. A bill to be entitled "An Act creating the Thornton Independent School District in Limestone County, etc., and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Witt, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 96 put on its third reading and final passage by the following vote:

Yeas—29.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Murphy.
Buchanan.	Page.
Burkett.	Parr.
Clark.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dorough.	Watts.
Doyle.	Williams.
Dudley.	Willis.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Absent.

Cousins.

Absent—Excused.

Carlock.

The bill was read third time and passed by the following vote:

Yeas—29.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Murphy.
Buchanan.	Page.
Burkett.	Parr.
Clark.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dorough.	Watts.
Doyle.	Williams.
Dudley.	Willis.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Absent.

Cousins.

Absent—Excused.

Carlock.

Resolution Signed.

The Chair, Lieutenant Governor Davidson, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following resolution:

S. C. R. No. 7, Relating to hanging portrait of Mrs. H. H. Sevier in the Capitol Building.

Adjournment.

On motion of Senator Dudley the Senate, at 5:30 o'clock p. m., adjourned until 9:30 o'clock tomorrow morning.

APPENDIX.

Committee Reports.

Senate Chamber,

Austin, Texas, August 9, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred S. B. No. 80,

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

BLEDSON, Chairman

(Floor Report.)

Senate Chamber,

Austin, Texas, Aug. 9, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 85,

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

Hertzberg, Chairman; Suiter, Fairchild, Hall, Woods, Parr, Dorough, Rogers, Dudley.

(Floor Report.)

Senate Chamber,

Austin, Texas, Aug. 9, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 87,

Have had the same under consideration, and beg to report the same back to the Senate with the recommendation that it do pass.

Wood, Acting Chairman; Dudley, Witt, Hertzberg, Bailey, Watts, Parr Willis.

Senate Chamber,

Austin, Texas, August 9, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 82 carefully compared, and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,

Austin, Texas, August 9, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 93 carefully compared, and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,

Austin, Texas, August 9, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 61 carefully compared, and find same to be correctly engrossed.

DOYLE, Chairman.

Committee Room,

Austin, Texas, August 8, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have carefully compared Senate Concurrent Resolution No. 6, copy hereto attached, and find the same correctly enrolled, and have this day at 4 o'clock p. m. presented the same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,

Austin, Texas, August 8, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have carefully compared Senate Concurrent Resolution No. 5, copy hereto attached, and find the same correctly enrolled, and have this day at 4 o'clock p. m. presented the same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,
Austin, Texas, August 9, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have carefully compared Senate Concurrent Resolution No. 7, copy hereto attached, and find the same correctly enrolled, and have this day at 12 o'clock m. presented the same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,
Austin, Texas, August 9, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 91, A bill to be entitled "An Act to amend Chapter 67 of Special Laws of the Thirty-seventh Legislature, which was An Act to amend Chapter 69 of a Special Law passed at the Regular Session of the Thirty-second Legislature, 1911, and approved by the Governor on March 23, 1911, which said Act was amended at the Regular Session of the Thirty-fifth Legislature, 1917, by Chapter 66 of the Special Laws of said Thirty-fifth Legislature and approved by the Governor on the 26th day of March, 1917, and being a bill entitled 'An Act incorporating the Winnsboro Independent School District in Wood and Franklin counties, Texas, for free school purposes only, defining its boundaries and providing for a Board of Trustees, divesting the City of Winnsboro of the control of its public schools and title to school property and vesting the same in said Winnsboro Independent School District, and its Board of Trustees, prescribing the rights, powers, privileges and duties of said Winnsboro Independent School District, and its Board of Trustees, and declaring an emergency,' by more clearly defining its boundaries, etc.,"

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

(Floor Report.)

Senate Chamber,
Austin, Texas, August 9, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on City

and Town Corporations, to whom was referred

S. B. No. 98, A bill to be entitled "An Act providing that any city or town in this State having a population of 161,000 or more, according to last United States census, may provide for the payment of current expenses of said city or town for any fiscal year or portion thereof by the issuance of warrants drawn against the current revenues of said city or town for such fiscal year to the extent of eighty per cent of such revenues, etc.,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and that it be not printed.

Watts, Chairman; Dorrough, Burkett, Willis, Baugh.

Senate Chamber,
Austin, Texas, August 8, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 94, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of the American Legion Memorial Sanatorium of Texas, and other expenses of maintaining and conducting same for the fiscal years beginning September 1, 1921, and ending August 31, 1923, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

DUDLEY, Chairman.

Petitions and Memorials.

Senator Floyd offered and had read a petition numerously signed, by Mt. Pleasant citizens, urging the Legislature to appropriate money to continue the extension and county agents work.

NINETEENTH DAY.

Senate Chamber,
Austin, Texas,
Wednesday, August 10, 1921.

The Senate met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum be-